

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

FRANK MONACO BAZZO,  
Plaintiff,  
v.  
STATE OF CALIFORNIA, et al.  
Defendants.

No. 1:23-cv-01454-KES-SAB (PC)

ORDER DISCHARGING ORDER TO SHOW  
CAUSE, GRANTING EXTENSION OF TIME  
TO FILE AMENDED COMPLAINT, AND  
DENYING REQUEST TO TRANSFER  
ACTION

(ECF No. 26)

Plaintiff is proceeding pro se in this action filed pursuant to 42 U.S.C. § 1983.

Currently before the Court is Plaintiff's motion for an extension of time to file an amended complaint and request that the action be transferred to the United States District Court for the Central District of California, filed March 28, 2025.

On February 6, 2025, the Court screened Plaintiff first amended complaint, found no cognizable claims, and granted Plaintiff the opportunity to amend the complaint. (ECF No. 22.) On this same date, the Court severed Plaintiff's claims, including exposure to COVID-19, against Ironwood Defendants and transferred such claims to the Central District of California to proceed as a separate action. (ECF No. 23.) After Plaintiff failed to file an amended complaint, the Court ordered Plaintiff to show cause why the action should not be dismissed on March 18, 2025. (ECF No. 25.)

On the basis of good cause, the Court will grant Plaintiff's request for an extension of time

1 to file an amended complaint, and will vacate the pending order to show cause. Inasmuch as  
2 Plaintiff seeks that this action be transferred to the United States District Court for the Central  
3 District of California, such request is denied. As stated in the Court's February 6, 2025 screening  
4 order, Plaintiff is attempting to seek relief for the lack of appropriate medical care following an  
5 assault at the Substance Abuse Treatment Facility and State Prison, Corcoran. (ECF No. 22.)  
6 Because venue for such claim is properly before this Court, there is no basis to transfer such  
7 claim to the Central District of California, and Plaintiff's request is denied.

8 Accordingly, it is HEREBY ORDERED that:

- 9 1. The order to show cause issued on March 18, 2025 (ECF No. 25) is  
10 DISCHARGED;
- 11 2. Plaintiff is granted thirty (30) days from the date of service of this order to file an  
12 amended complaint; and
- 13 3. Plaintiff's request to transfer this action to the Central District of California is  
14 DENIED.

15 IT IS SO ORDERED.

16 Dated: **March 31, 2025**



17 STANLEY A. BOONE  
18 United States Magistrate Judge  
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